

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN**

PEOPLE OF THE VIRGIN ISLANDS,	)	
	)	
Plaintiff,	)	(Superior Court of the Virgin Islands
	)	Case No. ST-09-CR-F020)
v.	)	
	)	
WILLIAM G. CLARK,	)	
	)	
Defendant.	)	
_____	)	

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. § 1442(a)(1), William G. Clark, a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), a law enforcement agency within the United States Department of Justice, hereby removes the above-captioned criminal action commenced in the Superior Court of the Virgin Islands.

The removing party, ATF Special Agent Clark, was arraigned in Superior Court on Thursday, January 15, 2009. This Notice of Removal was filed within thirty days after arraignment. It is, therefore, timely. 28 U.S.C. § 1446(c)(1).

A copy of the Information, which the Attorney General's Office served on Special Agent Clark on January 15, 2009, is attached hereto. A Memorandum of Law in Support of this Notice of Removal, which sets forth in more detail the grounds warranting removal, is submitted herewith and incorporated by reference.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

*I HEREBY CERTIFY* that a true and correct copy of the foregoing Notice of Removal was served via hand-delivery on this 13<sup>th</sup> day of February, 2009 on Assistant Attorney General Renee Gumbs-Carty at the Virgin Islands Department of Justice's Attorney General's Office located at 34-38 Kronprindsens Gade, GERS Bldg., 2<sup>nd</sup> Floor, St. Thomas, U.S. Virgin Islands 00804.

By: Kerry E. Drue

**IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN**

PEOPLE OF THE VIRGIN ISLANDS,	)	<b>CRIMINAL No. F20/2009</b>
	)	
Plaintiff,	)	CHARGES:
	)	14 V.I.C. § 922(b)
vs.	)	14 V.I.C. § 924(1)
	)	2 Counts 14 V.I.C. § 2251(a)(2)(B)
WILLIAM G. CLARKE,	)	
D.O.B. 01/08/75,	)	
Defendant.	)	
_____	)	

**INFORMATION**

**The People Of The Virgin Islands Charge That:**

**COUNT ONE**

On or about September 7, 2008, in St. Thomas, Virgin Islands, **WILLIAM G. CLARKE**, unlawfully killed a human being with malice aforethought, to wit: he shot and killed Marcus Sukow with a gun, in violation of V.I. CODE ANN. tit. 14 §§ 921, 922(b).  
**[SECOND DEGREE MURDER]**

**COUNT TWO**

On or about September 7, 2008, in St. Thomas, Virgin Islands, **WILLIAM G. CLARKE**, had, possessed, bore, transported, carried and had under his proximate control a dangerous and deadly weapon, a gun, with intent to use same unlawfully against another, during the commission of a crime of violence, second degree murder as set forth in Count One, to wit: he shot and killed Marcus Sukow with a gun, in violation of V.I. CODE ANN. tit. 14 § 2251(a)(2)(B). **[USING A DANGEROUS WEAPON DURING THE COMMISSION OF A SECOND DEGREE MURDER]**

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**COUNT THREE**

On or about September 7, 2008, in St. Thomas, Virgin Islands, **WILLIAM G. CLARKE**, unlawfully and voluntarily killed a human being without malice aforethought, upon a sudden quarrel or heat of passion, to wit: he shot and killed Marcus Sukow with a gun, in violation of V.I. CODE ANN. tit. 14 § 924. **VOLUNTARY MANSLAUGHTER**

**COUNT FOUR**

On or about September 7, 2008, in St. Thomas, Virgin Islands, **WILLIAM G. CLARKE**, had, possessed, bore, transported, carried and had under his proximate control a dangerous and deadly weapon, a gun, with intent to use same unlawfully against another, during the commission of a crime of violence, voluntary manslaughter as set forth in Count Three, to wit: he shot and killed Marcus Sukow with a gun, in violation of V.I. CODE ANN. tit. 14 § 2251(a)(2)(B). **[USING A DANGEROUS WEAPON DURING THE COMMISSION OF A VOLUNTARY MANSLAUGHTER]**

*Respectfully Submitted,*

**VINCENT F. FRAZER, ESQUIRE**  
Attorney General of the U.S. Virgin Islands

DATED: January 13, 2009

BY:   
**BRENDA C. SCALES, ESQUIRE**  
Assistant Attorney General